

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13133 of 2018

Arising Out of PS.Case No. -49 Year- 2017 Thana -BACHHWARA District- BEGUSARAI

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1. **Shiv Nath @ Monu Kumar**, S/o Dev Narayan Kunwar, Resident of Village- Bharol, P.S. Bachhwara, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh-Advocate

For the Opposite Party/s : Mr. Ajay Kumar-1-A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

10 13-09-2018

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor.

During course of returning from the Block Office by the informant Hare Ram Ishwar along with deceased Vijay Kumar Ishwar over motorcycle, they were intercepted by five miscreants, who indiscriminately fired causing injury to both of them as a result of which, later on Vijay Kumar Ishwar died. Informant had claimed identification of the assailant, but could not named. It is evident that during course of investigation on getting some clue, mobile belonging to the petitioner vide SIM No.8539942542 and 9128553857 were put on surveillance (Para-47) and during course thereof, it has been found that he along with his associates, whose mobile numbers have also been disclosed therein, were found in



and around the P.O. So many accused were apprehended whose inculpatory extra-judicial confessional statement has been recorded under different paragraphs of the case diary. As per Para-95, it is evident that petitioner, who was under custody in connection with Bachhwara P. S. Case No.28 of 2017 has been remanded in this case. As per Para-96, there happens to be criminal antecedent. Although, after completing investigation, chargesheet has been submitted against the petitioner and others, but the I.O. had not taken care to get the petitioner along with others put on T. I. Parade and in the background of aforesaid deficiencies, for the present, petitioner is found entitled for bail.

Accordingly, petitioner, **Shiv Nath @ Monu Kumar** is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-VII-cum-Additional Chief Judicial Magistrate-VI, Begusarai in connection with Bachhwara P. S. Case No.49 of 2017.

(Aditya Kumar Trivedi, J)

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